

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SIDNEY D. JENKINS, III,

Plaintiff,

vs.

ELDON VAIL et al.,

Defendants.

NO. CV-08-5075-CI

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND RESETTING  
HEARING ON CROSS-MOTIONS FOR  
SUMMARY JUDGMENT

Magistrate Judge Imbrogno filed a Report and Recommendation on May 6, 2010, recommending Plaintiff's Motion for Supplemental Pleadings be denied. Objections to the Report and Recommendation were due on May 20, 2010. (Ct. Rec. 152.) There being no objections to the Report and Recommendation, the court **ADOPTS** the Report and Recommendation. Plaintiff's Motion for Supplemental Pleadings (Ct. Rec. 136) is **DENIED**.

**IT IS SO ORDERED.**

**IT IS FURTHER ORDERED:** The hearing without oral argument on cross-Motions for Summary Judgment is reset before Magistrate Judge Imbrogno on June 28, 2010. The parties may submit additional briefing in support of their Motions for Summary judgment no later than June 14, 2010.

The parties are advised that the court will consider only those

ORDER ADOPTING REPORT AND RECOMMENDATION  
AND SETTING HEARING ON CROSS-MOTIONS  
FOR SUMMARY JUDGMENT - 1

1 claims presented in the First Amended Complaint (Ct. Rec. 19).  
2 Additional briefing shall be limited to **15 pages** and shall address only  
3 arguments presented in memoranda and responses filed and served within  
4 the deadlines established in the court's May 5, 2009, Scheduling Order.  
5 (Ct. Rec. 62.)

6 The District Court Executive shall forward copies of this Order to  
7 Plaintiff and counsel for Defendants.

8 **IT IS SO ORDERED.** The District Court Executive is directed to  
9 enter this Order and forward copies to Plaintiff and to counsel for  
10 Defendants.

11 **DATED** this 27th day of May, 2010.

12 *s/Lonny R. Sukko*  
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14 LONNY R. SUKCO  
15 CHIEF UNITED STATES DISTRICT JUDGE  
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